

Serial No.: 09/843,170

Attorney's Docket No.: 10559/366001/P10172

REMARKS

Claims 1-22 are pending, with claims 1, 10, 14, 17 and 20 being independent. Claims 1, 10, 14, 17 and 20-22 have been amended. No new matter has been added. Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-3, 5-13 and 20 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Larson et al. (US 2003/0069848). Claims 4, 14-19, 21 and 22 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Larson in view of Or et al. (US 2002/0067742). Claims 1-22 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Ballard et al. (US 2002/0059457) in view of Or. These contentions are respectfully traversed.

The previously submitted declaration and evidence of conception and diligence is allegedly insufficient because (1) the declaration was not signed by all inventors, (2) the submitted evidence allegedly fails to establish diligence, and (3) the affidavit of Thue M. Pontoppidan allegedly fails to support continued diligence. Applicant objects to this rejection of the declaration submitted under 37 CFR 1.131 because the second inventor, Esben Carlsen, cannot be located.

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In any case, the affidavit and submitted evidence are sufficient to establish the invention date.

Nonetheless, in an effort to advance prosecution, the independent claims have been amended to clearly distinguish over the art of record, and Applicant reserves the right to file a continuing application with the original, broader claims. As amended, the claims are now limited to implementations of the invention on a wireless application protocol (WAP) gateway, as described in detail in the patent specification. The art of record fails to teach or suggest the amended claims. Attention is called to Larson at paragraphs 138-139, where it is noted that one may want to implement various gateway restrictions.

Dependent claims 2-9, 11-13, 15-16, 18-19 and 21-22 are patentable based on the above arguments and their own merits.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific issue or comment does not signify agreement with or concession of that issue or comment. Because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any

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claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

It is respectfully suggested for all of these reasons, that the current rejection is totally overcome; that none of the cited art teaches or suggests the features which are now claimed, and therefore that all of these claims should be in condition for allowance. A formal notice of allowance is thus respectfully requested.

Please apply any necessary charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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